

DETROIT



ELEVATOR COMPANY

October 13th, 2013

State of Michigan Representative Hugh Crawford
887 House Office Building
P.O. Box 30014
Lansing, Michigan 48909

Re: HB 4970 & HB 4971

Dear Representative Crawford,

I am submitting this in opposition to House Bills 4970 & 4971.

I am greatly concerned at the prospect on non-elevator Journeyperson's potentially installing code defined elevating devices in residential applications.

While Detroit Elevator does not necessarily install a great number of these devices indicated in these Bills, we do install many residential elevators, so am very familiar with activities in existing and new homes in this regard.

My initial concern would be over the potential confusion with the different types of devices covered. All too often we encounter many people, including the general public, architects, designers and builders who refer to residential elevators as 'lifts'. I do not believe as currently written the Bills provide enough delineation between devices.

Further to the point, and because of inherent similarities, I object to anyone other than licensed journeypersons and elevator contractors installing them as currently stipulated in PA 333 of 1976.

I have been asked many times why it is necessary to license and install these devices as currently structured. I offer the following:

- It absolutely assures public safety to the greatest degree possible.
- Obtaining an installation permit insures and protects the homeowner that the unit will be inspected thoroughly by the Elevator Safety Division prior to it being placed into the public's hands.
- The Elevator Safety Division is wholly independent of contractors and builders, thus is a powerful advocate for the homeowner's safety.
- Using only a Department licensed journeyperson insures that the individual performing the work has a great degree of knowledge and skill, as dictated by the stringent testing procedures long ago implemented by the State.

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- Having acceptance testing performed by the State greatly enhances homeowner trust in the product and the installation. This cannot be over emphasized.
- I also ask how has the current system failed? What has so glaringly occurred that requires such a drastic revision of successful practices that have safeguarded the Safety of the citizens of the State of Michigan.

As a licensed elevator contractor, one of our greatest costs of doing business is liability insurance. Most of this is due to the type of devices we install, including those indicated in these bills. However, it is also due to the fact that few accredited Michigan insurance providers will provide insurance to companies providing these types of services.

I do wonder about this exceptionally important item. Have the proponents of the Bills taken into account the very real costs for the installers? Have the installers approached their respective insurance carriers to make absolutely certain that these are 'covered operations' and not specifically excluded. Make no mistake, a portion of what the end user purchases is the protection of liability insurance. If coverage is not provided, it is certainly possible that all of the liability burden could fall on the homeowner themselves. I think we would all agree, this would be an unreasonable cost to face.

Please note that as a business that has conducted uninterrupted operations in the State for 99 years, I am acutely aware of the current financial hardships currently being encountered by everyone.

It would appear that both you and I share similar interests in regards to the public. As an elected State Representative, you have been entrusted with both the will of the people and their explicit trust. I as a licensed Class A Elevator Contractor have been entrusted with the public's safety in regards to any and all elevating devices I install. Accordingly, I urge you to reconsider HB 4970 & 4971.

Sincerely,

Donald J. Purdie Jr.
Vice President